

The Honorable Franklin D. Burgess

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANIEL MARTINEZ,

Plaintiff,

vs.

HELEN MARTINEZ and  
THE SUQUAMISH TRIBE,

Defendants.

Case No. C08-5503 FDB

**NOTICE OF CIVIL APPEAL**

Notice is hereby given that Helen Pungowiyi Martinez, defendant in the above-named case, appeals to the United States Court of Appeals for the Ninth Circuit from the final Order Denying Defendants' Motions to Dismiss and Granting Plaintiff Declaratory and Injunctive Relief entered in this action on December 16, 2008.

DATED: January 14, 2009

**NORTHWEST JUSTICE PROJECT**

s/Jennifer Yogi  
Jennifer Yogi, WSBA No. 31928

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**REPRESENTATION STATEMENT PURSUANT TO FRAP 12(b)  
AND CIRCUIT RULE 3-2(b)**

Plaintiff Daniel Martinez is represented by:

Steven L. Olsen  
Olsen and McFadden, Inc. P.S.  
216 Ericksen Avenue  
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Defendant Helen Martinez is represented by:

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Defendant Suquamish Tribe is represented by:

James Bellis  
Office of Tribal Attorney  
P.O. Box 498  
Suquamish, WA 98392-0498  
Telephone: (360) 394-4501

DATED: January 14, 2009

**NORTHWEST JUSTICE PROJECT**

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**CERTIFICATE OF SERVICE**

I, Jennifer Yogi, certify under penalty of perjury under the laws of the State of Washington that on the 14<sup>th</sup> day of January, 2009, I caused a copy of the Certificate Regarding Transcript and this Notice to be delivered via electronic mailing in .pdf format with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attention of the following:

Steven Olsen  
Attorney for Plaintiff  
Olsen and McFadden, Inc. P.S.  
216 Ericksen Avenue  
Bainbridge Island, WA 98110

James Bellis  
Office of Tribal Attorneys  
Suquamish Tribe  
P.O. Box 498  
Suquamish, WA 98392-0498

Signed at Seattle, Washington, this 14<sup>th</sup> day of January, 2009.

NORTHWEST JUSTICE PROJECT

\_\_\_\_\_  
/s/ Jennifer Yogi  
Jennifer Yogi, WSBA #31928  
Attorney for Defendant Helen Pungowiyi Martinez